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8
9 **UNITED STATES DISTRICT COURT**

DISTRICT OF NEVADA

10 VT CONSTRUCTION, INC., a Nevada
11 Corporation,

12 Plaintiff,

13 vs.

14 H2J ENVIRONMENTAL, LLC, a Utah
limited liability company; THE CINCINNATI
15 INSURANCE COMPANY, an Ohio
corporation; and DOES I through X, inclusive;

16 Defendants.
17

CASE NO.: 2:13-cv-00907-GMN-GWF

**JOINT PROPOSED MOTION TO STAY
ALL PROCEEDINGS**

18 COMES NOW the parties, the Cincinnati Insurance Company ("CIC") and VT
19 Construction, Inc. ("VT") by and through their respective counsel of record, hereby jointly
20 request the Court Stay all Proceedings Pursuant to Federal Rule of Civil Procedure 26(c) and the
21 Court's inherent authority and states as follows:
22

23 1. VT Construction, Inc. ("VT") filed its Complaint on May 22, 2013, for breach of
24 contract relating to H2J Environmental, LLC's ("H2J") performance on construction of the Water
25 Storage Reservoir at the Jerritt Canyon Mine (the "Project"). CIC issued two performance bonds
26 (B-9113871 and B-9113870) naming VT as Obligee and H2J as principal on the Project.
27

28 2. On June 26, 2013, CIC answered VT's Complaint.

1 3. CIC's counsel has contacted VT's counsel and VT does not object to CIC's
2 request for a period of stay for ninety (90) days until the parties have completed mediation.

3 4. CIC has not filed this Motion for purposes of delay, but for purposes of judicial
4 economy and to prevent extensive discovery should mediation fully satisfy all parties.

5 WHEREFORE, the parties The Cincinnati Insurance Company and VT Construction, Inc.,
6 respectfully requests the Court issue a stay order for this litigation for a period of ninety (90) days
7 until mediation has been completed and for such other relief as the Court deems just and proper.
8

9
10 Dated: August 9, 2013

Dated: August 9, 2013

11 WATT, TIEDER, HOFFAR
& FITZGERALD, L.L.P.

12 /s/ Jared M. Sechrist

/s/ Dale B. Rycraft, Jr.


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19 **IT IS SO ORDERED** this 12 day of August, 2013.

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21 
22 GEORGE FOLEY, JR.
23 United States Magistrate Judge
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